

State of Alaska

**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**

**BOARD OF PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
November 4th and 5th, 2021**

**These are DRAFT minutes prepared by the staff of the
Division of Corporations, Business, and Professional Licensing.**

These minutes have not yet been reviewed or approved by the Board.

**By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS 44.64, Article 6, a
scheduled board meeting was held via Zoom.**

Thursday November 4th, 2021

Agenda Item – Call to Order & Roll Call

Board Chair Erin Johnson called the meeting to order at 9:07 AM

Those present constituting a quorum of the board:

Erin Johnson, Chair, Psychologist

Bradley McConnell, Psychologist

Sherri Scott, Psychological Associate

Bernard Gatewood, Public Member

In attendance from the Department of Commerce, Community and Economic Development, Division of
Corporations, Business and Professional Licensing were:

Logan Bugayong, Occupational Licensing Examiner

Lacey Derr, Records & Licensing Supervisor

Members of the public in attendance were:

Malan Paquette

Agenda Item – Review and Approve Agenda

The board reviewed the drafted agenda of the meeting.

41 **In a motion duly made by Bernard Gatewood and seconded by Sherri Scott, with unanimous**
42 **consent, it was resolved to approve the agenda as presented.**

43
44 **Agenda Item – Ethics Report**

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46 Hearing no ethics to report, the board moved on with business.

47
48 **Agenda Item – Licensing Examiner Report**

49
50 Per the chair’s request, the board’s mission and vision statement is to be read into the minutes at the
51 start of each meeting. The following was read by Chair Erin Johnson:

52 *“The Board continues with the goals and purposes of protection of the public; ensuring the public of*
53 *continued competency of licensed psychology professionals; ensuring psychological care is offered by*
54 *professionally qualified persons; and ensuring qualified psychology practitioners are available. The Board*
55 *has approved applicants for licensure as Psychologists and Psychological Associates, as well as*
56 *monitored continuing education requirements.”*

57 Logan Bugayong then provided an update on the current number of licensees:

- 58 • There are 255 active Psychologist licenses
 - 59 ○ There are 11 active Psychologist Temporary Licenses
- 60 • There are 28 active Psychological Associate licenses
 - 61 ○ There are 0 active Psychological Associate Temporary licenses
- 62 • There are eight active Psychologist Courtesy Licenses and all are in good standing

63
64 To make best use of time, the board reviewed meeting minutes from previous meetings.

65
66 **In a motion duly made by Sherri Scott and seconded by Bernard Gatewood, with unanimous**
67 **consent, it was resolved to approve the meeting minutes from the November 5th and 6th, 2021**
68 **meeting as presented.**

69 **Agenda Item – PSYPACT Presentation**

70
71 Janet Orwig is the Associate Executive Officer of Member Services for the Association of State and
72 Provincial Psychology Boards (ASPPB) and the Executive Director of PSYPACT. PSYPACT is the
73 interjurisdictional psychology license compact to allow for ease of license mobility. ASPPB first
74 addressed the issue of license mobility through reciprocity and ensuring that the different jurisdictions
75 had equivalent licensing requirements. This was eventually sunsetted as statutes and regulations and
76 post-doctoral requirements changed. PSYPACT is intended to help regulated the day-to-day practice of
77 telepsychology across state boundaries and temporary, face-to-face practice. This has aided in
78 maintaining continuity of care and in regulation of the practice of psychology across state lines. There
79 are currently 27 states that have enacted PSYPACT legislation and 23 that are effective.

80
81 *Director Sara Chambers joined the meeting at 9:34 AM*

82 *Deputy Director Sharon Walsh joined the meeting at 9:37*

83
84 The board had several questions regarding where the fees went and how interjurisdictional discipline is
85 handled across state lines. Director Sara Chambers had questions as well regarding who would be

86 processing these applications and the similarities between PSYPACT and the Nurse Licensure Compact.
87 More information regarding PSYPACT and ASPPB can be found on their respective websites.

88

89 *Member of the Public James "Ned" Beedie joined at 9:45 AM*

90

91 **In a motion duly made by Bradley McConnell and seconded by Sherri Scott, with unanimous**
92 **consent, it was resolved to amend the agenda to discuss SB 21 at 10:00 AM on November 4th,**
93 **2021.**

94 **Agenda Item – SB 21 Temporary Military License**

95

96 Director Sara Chambers provided the board with an update as to the Division's progress with the
97 implementation of SB 21. SB 21 will be implemented on January 1st, 2022 and will essentially allow for
98 military members and spouses to practice under a 180 day temporary license. The various licensing
99 boards in Alaska are reviewing existing temporary licensing regulations and working to implement new
100 regulations before SB 21 goes into effect.

101

102 ***The board took a brief at ease from 10:30 AM to 10:45 AM***

103 **Off Record: 10:30 AM**

104 **On Record: 10:48 AM**

105

106 **Agenda Item – Investigative Report**

107

108 Investigator Josh Hardy presented the board with the investigative report for the board. This included
109 cases, complaints, and intake matters from August 4th, 2021 through October 26th, 2021. Investigator
110 Josh Hardy reported that there has been an increase in complaint intake for the Board of Psychologist
111 and Psychological Associate Examiners.

112

113 **Agenda Item – Division Report**

114

115 Deputy Director Sharon Walsh presented the FY21 fourth quarter fiscal report for the board.
116 The board finished the fiscal year with a surplus and no fee changes are recommended at this
117 time. All Division fiscal reports are available on the website.

118

119 To make best use of time, the board continued to review meeting minutes from previous meetings.

120

121 **In a motion duly made by Bernard Gatewood and seconded by Bradley McConnell, with**
122 **unanimous consent, it was resolved to approve the meeting minutes from April 22nd, 2021.**

123

124 **In a motion duly made by Sherri Scott and seconded by Bernard Gatewood, with unanimous**
125 **consent, it was resolved to approve the meeting minutes from August 19th and 20th, 2021.**

126

127 **In a motion duly made by Bernard Gatewood and seconded by Bradley McConnell, with**
128 **unanimous consent, it was resolved to amend the agenda to move Regulation Projects to**
11:13 AM.

129

130 **Agenda Item – Regulation Projects**

131

132 The board reviewed and voted on regulation projects that had been started in 2020. These projects
133 were put on hold as the boards and Regulation Specialist with the Division were focusing on the
134 Emergency Courtesy License and other Covid-19 related regulations. The regulations voted on pertain to
135 the checklist used for the Psychologist Courtesy License, the code of ethics referenced in regulations,
136 and the requirement of a letter of reference from a member of an applicant’s doctoral committee.

137

138 **In a motion duly made by Sherri Scott and seconded by Bradley McConnell, with unanimous
139 consent, it was resolved to approve the changes to regulation 12 AAC 60.010. as presented.**

140

141 **In a motion duly made by Bernard Gatewood and seconded by Sherri Scott, with unanimous
142 consent, it was resolved to approve the changes to regulation 12 AAC 60.065. as presented.**

143

144 **In a motion duly made by Sherri Scott and seconded by Bernard Gatewood, with unanimous
145 consent, it was resolved to approve the changes to regulation 12 AAC 60.185. as presented.**

146

147 ***The board took a brief at ease from 11:20 AM to 11:30 AM***

148

Off Record: 11:20 AM

149

On Record: 11:30 AM

150

151 **Agenda Item – Public Comment**

152

153 Malan Paquette spoke about a variety of topics such as an advocacy group in Anchor Point,
154 Alaska, suicide prevention, anti-fraud safety, and current vacancies through Board and
155 Commissions.

156

157 **Agenda Item – Lunch**

158

159 With no other members of the public present to comment, the board closed public comment at
160 11:40 and the board elected to recess early for lunch.

161

162 **Off Record: 11:41 AM**

163

On Record: 1:02 PM

164

165 **Agenda Item – CEU Topics**

166

167 The board continued their discussion from the previous meeting regarding mandating specific
168 topics for continuing education. Currently, the board only requires that at least half of the
169 continuing education hours acquired for a biennial renewal are synchronous and at least three

170 hours in professional ethics. The board will post a statement to further clarify the definition of
171 synchronous and what continuing education activities will count as synchronous. In a similar
172 fashion to the Board of Social Work Examiners and Board of Marital and Family Therapists, The
173 Board of Psychologists and Psychological Associate Examiners looked into requiring specific
174 continuing education topics for biennial renewals. The board considered requiring specific CE's
175 for only the first renewal period. Specific subjects the board is interested in requiring are Alaska
176 Native culture, substance abuse and suicide. This topic is still on the agenda for tomorrow's
177 meeting and the board will revisit this topic then.

178

179 ***Board Member Sherri Scott left at 2:12 PM. Her absence has been excused by the Chair.***

180

181 The board took some time to revisit PSYPACT and what that would mean for Alaska. The board would
182 like to have feedback from the community regarding PSYPACT and how Alaskans feel about the compact
183 legislature. They would also like to have discussions with the first seven states that joined PSYPACT and
184 with states that have vocally opposed the compact. Logan Bugayong will reach out to Arizona and
185 Washington to see if they have representatives that would be available and willing to speak at the next
186 meeting.

187

188 ***The board took a brief at ease before the UAA presentation.***

189

190 **Off Record: 2:39 PM**

191

191 **On Record: 3:00 PM**

192

193 **Agenda Item – UAA Presentation**

194

195 Gloria Eldridge, Hannah Ekstrom, and Patricia Sandberg from University of Alaska Anchorage presented
196 regarding regulation proposals they have for the existing psychological associate license. The University
197 of Alaska Anchorage is working towards APA accreditation for their Master's Psychology program. They
198 are concerned that the majority of graduates from the Master's Psychology program elect to seek out
199 licensure as a professional counselor instead of as a psychological associate. These representatives from
200 the Master's Psychology program have two main proposals: creating regulation that would allow
201 psychological associate applicants to receive supervision in the same way that professional counselors
202 are able to obtain theirs, and changing the title to something that more accurately indicates the level of
203 practice and education of these license holders to the public. The board is in favor of their proposed
204 changes. Bradley McConnell had asked for clarification regarding how the difference in scope of practice
205 would be presented to the public. Patricia Sandberg had assured that accreditation would make the
206 distinction between the Master's and Doctoral practitioners extremely clear.

207

208 ***The board recessed to reconvene in the morning at 9:00 AM.***

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210

210 **Off Record: 3:45 PM**

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Friday, November 5th, 2021

Agenda Item – Call to Order & Roll Call

Board Chair Erin Johnson called the meeting to order at 9:05 AM

Those present constituting a quorum of the board:

- Erin Johnson, Chair, Psychologist
- Bradley McConnell, Psychologist
- Bernard Gatewood, Public Member

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing were:

- Logan Bugayong, Occupational Licensing Examiner
- Lacey Derr, Records & Licensing Supervisor

Members of the public in attendance were:

- Marvo Reguindin, Executive Director of the Alaska Psychological Association (AK-PA)
- John Walsh, Lobbyist for AK-PA
- Malan Paquette

Agenda Item – AK-PA Presentation

Marvo Reguindin and John Walsh presented the Alaska Psychological Association’s (AK-PA) current draft of the Model Licensure Act (MLA).

Sherri Scott joined at 9:10 AM

Marvo Reguindin stated that the current statutes and regulations allow for psychologists and psychological associates in Alaska to obtain a temporary license or full licensure and that the intention of the MLA is to find a middle ground. This act would amend how supervision hours are acquired, introduce a part time license type and an inactive license type. AK-PA has the support of two legislators to introduce this bill. The board had several questions regarding specific language used in the draft, and the requirements set in place for the part time license type. The board and AK-PA are looking to meet before the next quarterly meeting and the board is hoping to speak to individuals who were involved in the drafting process and go through the proposal line by line.

The board took a brief at ease before entering into Executive Session for the next agenda item.

Off Record: 10:06 AM

On Record: 10:20 AM

Agenda Item – State Law & Ethics Exam Scoring

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256
257 **Upon a motion made by Bradley McConnell seconded by Sherri Scott and approved**
258 **unanimously, it was resolved to enter into Executive Session in accordance with AS**
259 **44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of**
260 **discussing matters which by law, municipal charter, or ordinance are required to be**
261 **confidential;**

262
263 **Executive Session: 10:21 AM**
264 **Executive Session End: 11:41 AM**

265
266 **In a motion duly made by Sherri Scott and seconded by Bradley McConnell, with unanimous**
267 **consent, it was resolved to amend the agenda to start New Business at 12:30 PM.**

Agenda Item – Lunch

270
271 **Off Record: 11:43 AM**
272 **On Record: 12:31 PM**

Agenda Item – New Business

275
276 The board revisited the idea of changing the title of the temporary license used to gain supervision and
277 take exams to something that indicates that they are not independently licensed psychologists. They
278 made a motion to change the names to Supervised Temporary Psychologist and Supervised Temporary
279 Psychological Associate. The names of these license types are not directly referenced in statute or
280 regulation so this is a change to be made by Division staff internally.

281 Sara Chambers joined to further discuss SB 21. She provided a draft of the regulations adopted
282 by the Board of Nursing at their meeting the day before; these regulations directly reference the
283 centralized regulations put in place by the Division regarding temporary military licensure for military
284 personnel and military spouses. Sara Chambers has provided a version of these regulations keyed
285 specifically for the Board of Psychologists and Psychological Associate Examiners that the board will be
286 voting on virtually.

287 The board continued on with their agenda and discussed distance supervision. At their previous
288 meeting, they had discussed the challenges of distance supervision, especially with the supervisee in
289 rural areas of Alaska. Chair Erin Johnson will attend an AK-PA meeting and asking for input regarding
290 difficulties with distance supervision. Further discussion will be held once the board has more input
291 from the public regarding difficulties with distance supervision.

Agenda Item – Old Business

294
295 The board attended the recent ASPPB Annual Meeting. They found that the meeting focused
296 heavily on continuing education and continuing competency.

297 Division staff will research contracting a third party to develop additional questions for the State
298 Law and Ethics Examination. The current State Law & Ethics Examination questions have been in

299 circulation since the inception of the exam and the board believes that it would be beneficial to update
300 the material.

301 The board revisited the topic of requiring specific continuing education topics. They would like
302 to require six credits of Alaska Native culture and two credits of telehealth in the first renewal period,
303 and two credits of substance abuse, two credits of suicide awareness, and maintain the three credits of
304 ethics for every renewal period.

305
306 **In a motion duly made by Bernard Gatewood and seconded by Sherri Scott, with unanimous
307 consent, it was resolved to direct board staff to amend the regulations pertaining to the
308 continued competency of psychologists and psychological associates.**

309

310 **Agenda Item – Application Review**

311

312 **Upon a motion made by Bradley McConnell seconded by Sherri Scott and approved
313 unanimously, it was resolved to enter into Executive Session in accordance with AS
314 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of
315 discussing subjects that tend to prejudice the reputation and character of any person,
316 provided the person may request a public discussion; matters which by law, municipal charter,
317 or ordinance are required to be confidential.**

318

319 **Off Record: 1:43 PM**

320 **On Record: 2:16 PM**

321

322 **In a roll call vote called for by Logan Bugayong, the board voted to approve the Random
323 Continuing Education Audit for Douglas Pomeroy, license number PSYP332. With unanimous
324 consent, it was resolved to fail the Random Continuing Education Audit for Douglas Pomeroy,
325 license number PSYP332.**

326

327 **In a roll call vote called for by Logan Bugayong, the board voted to approve the Application for
328 Licensure by Credentials for Meredith Bernstein, license number 182928. With unanimous
329 consent, it was resolved to not accept the application for licensure as a psychologist by
330 credentials for Meredith Bernstein, license number 182928 based on 12 AAC 60.055.(4) *The
331 board will, in its discretion, deny an application for licensure by credentials, or deny approval
332 to take a licensing examination, if the application has been found to be practicing
333 psychological services without a license.* In her application, Meredith Bernstein indicated that
334 she is currently seeing clients via telehealth while residing in Alaska.**

335

336 **In a roll call vote called for by Logan Bugayong, the board voted to approve the Application for
337 Licensure by Credentials for Patrick DeMarco, license number 180276. With unanimous
338 consent, it was resolved to not accept the application for licensure as a psychologist by
339 credentials for Patrick DeMarco, license number 180276 based on 12 AAC 60.082.(2), *The
340 following criteria are established under AS 08.86.130 and AS 08.86.162 for programs of
341 graduate study for either a doctorate or a master's degree in psychology: the institution
342 offering the program must be accredited by one of the regional accrediting bodies recognized***

343 **by the Council of Postsecondary Accreditation. Patrick DeMarco’s doctoral degree did not**
344 **come from an accredited institution.**

345
346 **In a roll call vote called for by Logan Bugayong, the board voted to approve the Request to**
347 **take the EPPP as an Unlicensed Individual for Mark Mayo, license number 133440. With**
348 **unanimous consent, it was resolved to deny the Request to take the EPPP as an Unlicensed**
349 **Individual for Mark Mayo, license number 133440. Mark Mayo will need to apply for a new**
350 **temporary license if he wishes to take the EPPP.**

351
352 **In a motion duly made by Bernard Gatewood and seconded by Sherri Scott, with unanimous**
353 **consent, it was resolved to adjourn the meeting at 2:23 PM.**

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355 **Off Record: 2:23 PM**

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Logan Bugayong
Occupational Licensing Examiner

Date

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Erin Johnson
Board Chair

Date